

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:10cr237**

**UNITED STATES OF AMERICA,**

**Vs.**

**EMILIO JOSE TORRES.**

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**ORDER**

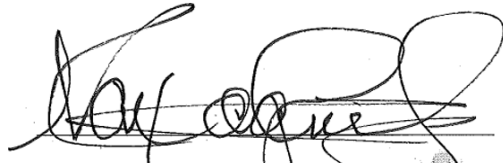
**THIS MATTER** is before the court on defendant's Motion to Continue. Preliminary review of such motion reveals that it is nearly identical to the Motion to Continue filed February 8, 2011, including a contention that counsel has not had time to print out documents contained in the 41 discovery DVDs provided by the government. The motion contains no information about how the extra time previously granted has been used. Although this court recognizes that counsel has a busy trial schedule, defendant has been in custody since October 7, 2010.

The court will hear the Motion to Continue at calendar call on May 2, 2011, and determine at that time whether to continue or try the case during the May term.

**ORDER**

**IT IS, THEREFORE, ORDERED** that defendant's Motion to Continue (#14) is calendared for hearing at calendar call on May 2, 2011.

Signed: April 13, 2011



Max O. Cogburn Jr.  
United States District Judge